

## REMARKS

### Objections

The disclosure has been objected to because of the following informalities: In page 7, line 27 "at" should be deleted. Applicant has herein amended the specification in accordance with the Examiner's suggestion. Applicant wishes to thank the Examiner for pointing out the discrepancy and Applicant wishes to apologize for any inconvenience which may have been caused.

### 102 Rejections

Claims 1-4 and 8-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Stafford. Applicant has reviewed the Stafford reference and respectfully submits that the present invention as recited in Claims 1-4 and 8-10 is neither shown nor rendered obvious by the Stafford reference. In fact, Applicant respectfully contends that the Stafford reference recites, for example, at column 1 lines 8-14 "...an air seat which accordingly is ideal for use at baseball games and other events..." Applicant respectfully submits that the Stafford reference has nothing to do with massage and does not even remotely mention or suggest a massage support apparatus as is recited in Claims 1-4 and 8-10.

Specifically, Applicant does not find the Stafford reference to disclose a portable, inflatable, massage support structure apparatus as is explicitly recited in Claim 1 (from which Claims 2-4 and 8-10 depend). More particularly, Applicant respectfully points out that the present specification and Claims are particularly directed to an apparatus for supporting a person during a massage. Applicant respectfully directs the Examiner to page 1, lines 15 - 22 wherein the Background Art section of the present specification clearly recites the orientation of a person during a

massage. Applicant also respectfully directs the Examiner to page 7 lines 24-26 wherein it is stated that the present inflatable body supporting structure:

...forms a 'body pillow' which is adapted to comfortably support the body of a person during a massage. (Emphasis added)

Furthermore, Applicant respectfully points out that independent Claim 1 explicitly recites:

a massage facilitating feature formed into said inflatable body supporting structure, said massage facilitating feature adapted to enhance the massaging of a person disposed on said inflatable body supporting structure. (Emphasis added)

The Examiner has implied on page 2 of the present Office Action, that the Stafford reference shows a "massage facilitating feature" at item 15 thereof. Applicant respectfully submits that item 15 of the Stafford reference is not a massage facilitating feature as recited in Claim 1 of the present Application. Instead, Applicant respectfully points out that item 15 of the Stafford reference is a "web" which is entirely unrelated to and does not even remotely suggest a "massage facilitating feature" as is recited in Claim 1 of the present invention. Applicant respectfully points out that it is well settled law that Claims are to be interpreted in light of the specification. As such, Applicant respectfully directs the Examiner to page 9 line 16 through page 15 line 6 wherein "massage facilitating features" as recited in Claim 1 of the present invention are described in detail.

Thus, Applicant respectfully contends that the present claimed invention as recited in Claims 1-4 and 8-10 is neither shown nor anticipated by the Stafford reference.

Claims 1-10 and 18-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Howard. Applicant has reviewed the Howard reference and

CC001  
Examiner: Santos, R.

5

Serial No.: 08/809,712  
Group Art Unit: 3633

respectfully submits that the present invention as recited in Claims 1-10 and 18-20 is neither shown nor rendered obvious by the Howard reference. In fact, Applicant respectfully contends that the Howard reference recites, for example, at column 1 lines 42-44 "...an improved inflatable plastic product, as exemplified by a combination seat cushion and backrest..." Applicant respectfully submits that the Howard reference has nothing to do with massage and does not even remotely mention or suggest a massage support apparatus as is recited in Claims 1-10 and 18-20.

Specifically, Applicant does not find the Howard reference to disclose a portable, inflatable, massage support structure apparatus as is explicitly recited in Claim 1 and Claim 18 (from which Claims 2-10 and 19-20 depend, respectively). More particularly, Applicant respectfully points out that the present specification and Claims are particularly directed to an apparatus for supporting a person during a massage. Applicant again respectfully directs the Examiner to page 1, lines 15 - 22 wherein the Background Art section of the present specification clearly recites the orientation of a person during a massage. Applicant also respectfully directs the Examiner to page 7 lines 24-26 wherein it is stated that the present inflatable body supporting structure:

...forms a 'body pillow' which is adapted to comfortably support the body of a person during a massage. (Emphasis added)

Furthermore, Applicant respectfully points out that independent Claim 1 explicitly recites:

a massage facilitating feature formed into said inflatable body supporting structure, said massage facilitating feature adapted to enhance the massaging of a person disposed on said inflatable body supporting structure. (Emphasis added)

Similarly, newly amended Claim 18 of the present invention explicitly recites a massage support structure comprising:

...an inflatable face cradle disposed proximate to said head end of said inflatable body supporting structure for supporting the head of said person being massaged;

...a faceplate opening disposed near said head end of said inflatable body supporting structure, said faceplate opening formed completely through said inflatable body supporting structure such that is said person is disposed face down on said top surface of said inflatable body supporting structure, said person is able to breathe;

an interior body bolster disposed between said head end and said foot end of said inflatable body supporting structure, said interior body bolster for supporting the torso region of said person being massaged....;

knee support regions formed into said inflatable body supporting structure ;

arm cradling portions formed into said inflatable body supporting structure, said arm cradling portions for comfortably supporting the arms of said person being massaged; and

an inflatable foot bolster adapted to be disposed proximate to said foot end of said inflatable body supporting structure for supporting the feet of a person being massaged, said inflatable foot bolster having a top surface and a bottom surface, said top surface and said bottom surface defining an enclosure therebetween when said inflatable foot bolster is inflated. (Emphasis Added)

The Examiner has stated on pages 3-5 of the present Office Action, that the Howard reference shows an "interior face cradle" (the upper portion of element 38 which is located on element 22 of the Howard reference). Applicant respectfully submits that item 38 of the Howard reference is not an interior face cradle as recited in Claim 3 and Claim 18 of the present Application. Instead, Applicant respectfully points out that item 38 of the Howard reference is merely a rim or border of the backrest of the Howard reference which is entirely unrelated to and does not even remotely suggest an "interior face cradle" as is recited in Claims 3 and 18 of the present invention.

Applicant further respectfully requests the Examiner to point out where the Howard reference even remotely suggests a:

an inflatable foot bolster adapted to be disposed proximate to said foot end of said inflatable body supporting structure for supporting the feet of a person being massaged, said inflatable foot bolster having a top surface and a bottom surface, said top surface and said bottom surface defining an enclosure therebetween when said inflatable foot bolster is inflated (Emphasis Added)

as is explicitly recited in Claim 18.

Applicant respectfully points out that it is well settled law that Claims are to be interpreted in light of the specification. As such, Applicant once more respectfully directs the Examiner to page 9 line 16 through page 15 line 6 wherein "massage facilitating features" such as the interior face cradle, the interior body bolster, the knee support regions, and the arm cradling portions of the present claimed invention are described in detail.

Applicant further respectfully points out that the Howard reference does not even remotely suggest the various massage facilitating features (e.g. the interior face cradle, the interior body bolster, the knee support regions, and the arm cradling portions) described in the specification and recited in the claims of the present application. Again, Applicant respectfully points out that Howard reference merely recites an inflatable backrest and seat cushion. Applicant respectfully contends that the Howard reference has nothing to do with a massage support apparatus, and does not even remotely suggest the present claimed invention.

Thus, Applicant respectfully contends that the present claimed invention as recited in Claims 1-10 and 18-20 is neither shown nor anticipated by the Howard reference.

Claims 11-13 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,312,987 to Emery. Applicant has reviewed the Emery reference and respectfully submits that the present invention as recited in remaining Claims 11 and 13 is neither shown nor rendered obvious by the Emery reference. Applicant respectfully submits that the Emery reference has nothing to do with massage and does not even remotely mention or suggest a massage support apparatus as is recited in newly amended Claims 11 and 13.

The limitations of Claim 12 have been incorporated into Claim 11, and Claim 12 has been canceled thereby rendering a discussion of the rejection of Claim 12 moot at this time. The Examiner has stated on page 5 of the present Office Action, that the Emery reference shows an "inflatable face cradle" at item 10 thereof having a forehead supporting region 11. Applicant respectfully submits that item 11 of the Emery reference is not a forehead supporting region as recited in Claim 11 of the present Application. Instead, Applicant respectfully points out that item 11 of the Emery reference is a "neck" or "nape" supporting region. In fact, Applicant respectfully contends that the Emery reference teaches away from the forehead supporting region of the present claimed invention. That is, the Emery device is specifically intended to support a human head without applying pressure to the scalp of the user (see e.g. column 2, lines 7-29 of the Emery reference). Furthermore, the Emery reference explicitly recites supporting the head of the user by applying pressure only to the neck, jaw, and cheeks of the user (see e.g. column 2, lines 28-29 of the Emery reference).

Applicant further respectfully directs the Examiner to column 3, lines 48-57 wherein the Emery reference specifically teaches away from a "forehead supporting region" as is set forth in independent Claim 11 (from which Claim 13 depends). Thus, not only does the Emery reference not show a forehead supporting region, the Emery reference teaches away the forehead supporting region teachings of the present claimed invention.

Thus, Applicant respectfully contends that the present claimed invention as recited in newly amended Claims 11 and 13 is neither shown nor anticipated by the Emery reference.

Claims 14-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Swiss Patent No. 602,056. Applicant has reviewed the Swiss Patent reference and respectfully submits that the present invention as recited in remaining Claims 14-17 is neither shown nor rendered obvious by the Swiss Patent reference. Applicant respectfully submits that the Swiss Patent reference has nothing to do with massage and does not even remotely mention or suggest an inflatable massage support structure as is recited in newly amended Claims 14-17.

Applicant further respectfully submits that the Swiss Patent reference does not even remotely suggest an inflatable foot bolster having "a bottom surface...such that said foot bolster remains steady when said person is massaged" as is explicitly recited in Claim 16 of the present Application.

Thus, Applicant respectfully contends that the present claimed invention as recited in Claims 14-17 is neither shown nor anticipated by the Swiss Patent reference.

### CONCLUSION

In light of the above-listed amendments and remarks, Applicant respectfully requests reconsideration of the rejected Claims.

The references which were cited but not relied upon have been reviewed. Applicant does not find the cited references to show or render obvious the present claimed invention as set forth in remaining Claims 1-11 and 13-20.

Based on the arguments and amendments presented above, Applicant respectfully asserts that Claims 1-11 and 13-20 overcome the rejections of record and, therefore, Applicant respectfully solicits allowance of these Claims.

Respectfully submitted,

Date:

July 9, 1998



---

Carl A. Chase, Jr.

P.O. Box 484  
Big Sur, California 93920